

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

**Eastern Division**

PENNYMAC LOAN SERVICES, LLC,  
  
Plaintiff,

CIVIL ACTION  
**Case No: 2:19-cv-00193-HSO-  
MTP**

-VS-

INNOVATED HOLDINGS, INC. dba  
SITCOMM ARBITRATION  
ASSOCIATION; MARK MOFFETT;  
SANDRA GOULETTE; RONNIE  
KAHAPEA; MARK JOHNSON, KIRK  
GIBBS; BRETT “EEON” JONES aka EEON  
aka BRETT JONES aka BRETT TORIANO  
JONES-THEOPHILIOUS aka BRETT  
RANDOFF TORIANO KEEFFE HENRY  
KANA-SHAPHEL HITHRAPPE JONES-  
THEOPHILUS fka KEEFE BRANCH; and  
RANCE MAGEE,

**PLAINTIFF PENNYMAC  
LOAN SERVICES, LLC’S  
MOTION FOR DEFAULT  
JUDGMENT PURSUANT TO  
FED. R. CIV. P. 16(f)**

Defendants.

**PLAINTIFF PENNYMAC LOAN SERVICES, LLC’S MOTION FOR  
DEFAULT JUDGMENT PURSUANT TO FED. R. CIV. P. 16(f)**

COMES NOW plaintiff, PennyMac Loan Services, LLC (“PennyMac”) to file its Motion for Default Judgment pursuant to Fed. R. Civ. P. 16(f) against defendants Brett “Eeon” Jones’ (“Eeon”), Sandra Goulette (“Goulette”), Innovated Holdings, Inc. dba Sitcomm Arbitration Association (“Sitcomm”), Rance Magee (“Magee”), Kirk Gibbs (“Gibbs”), Mark Moffett (“Moffett”), Ronnie Kahapea (“Kahapea”), and

Mark Johnson (“Johnson”) (collectively “Defendants”) showing unto the Court the following:

1. On June 22, 2021, the Court issued an order (the “Order”) scheduling a pretrial conference for July 20, 2021 at 9 a.m. (Docket No. 222.) The Order stated that “all pro se parties must attend the Pretrial Conference, unless excused by the Court.” (*Id.*)
2. On July 20, 2021, the Court held the pretrial conference (the “Conference”). Counsel for PennyMac appeared. Defendants did not appear and were not excused by the Court from personally attending.
3. During the Conference, PennyMac made an oral motion for default judgment pursuant to Fed. R. Civ. P. 16(f). In response to the oral motion, the Court advised that PennyMac should file this Motion seeking the same relief.
4. As discussed in PennyMac’s memorandum filed in support thereof, because Defendants failed to appear at the Conference, the Court may grant PennyMac a default judgment against Defendants.
5. Accordingly, PennyMac requests that the Court grant sanctions pursuant to Fed. R. Civ. P. 16(f) for Defendants’ failure to appear at the Conference and issue a default judgment against Defendants: (1) on the Third Cause of Action in the amount of \$139,928.71<sup>1</sup> in compensatory damages representing PennyMac’s attorneys’ fees in related actions (the “Attorneys’ Fees”) and \$1,000,000 in punitive damages; (2) on the Fourth Cause of Action in the amount of \$551,450.99 consisting of \$273,258.57 in unpaid principal, late fees,

---

<sup>1</sup> The amounts sought herein are supported by PennyMac’s Second Motion for Default Judgment filed at Docket No. 249.

and interest through February 5, 2020, on the Kahapea Loan and \$278,192.42 in unpaid principal, late fees, and interest through February 19, 2021, on the Johnson Loan ; (3) on the Fifth Cause of Action in the amount of \$139,928.71 representing the Attorneys' Fees; and (4) on the Sixth and Seventh Causes of Action in the amount \$419,786.13, representing a trebling of the Attorneys' Fees. In the alternative, PennyMac requests that the Court grant a default judgment in the amounts determined at the hearing for this Motion.

Dated: July 20, 2021

Respectfully submitted,

/s/ Harris F. Powers III

Harris F. Powers III

hpowers@upshawwilliams.com

Steven C. Cookston

scookston@upshawwilliams.com

Upshaw, Williams, Biggers & Beckham,  
LLP

309 Fulton Street

Post Office Drawer 8230

Greenwood, MS 38935-8230

Telephone: 662.455.1613

Facsimile: 662.453.9245

Cheryl S. Chang (admitted *pro hac vice*)

chang@blankrome.com

Nicole Bartz Metral (admitted *pro hac vice*)

nbmetral@blankrome.com

Jessica A. McElroy (admitted *pro hac vice*)

jmcelroy@blankrome.com

BLANK ROME LLP  
2029 Century Park East, 6th Floor  
Los Angeles, California 90067-2907  
Telephone: 424.239.3400  
Facsimile: 424.239.3434  
*Counsel for Plaintiff*

**CERTIFICATE OF SERVICE**

I, Harris F. Powers, III, of counsel to Plaintiff, hereby certify that I have this day mailed via U.S. Mail, with postage prepaid, a true and correct copy of the above and foregoing document unto:

Ronnie Kahapea  
P.O. Box 875  
Volcano, HI 96785 Defendant

Mark Johnson  
451 May Lane  
Louisa, VA 23093 Defendant

Kirk Gibbs  
4155 Lawrenceville Highway  
PMB 8119  
Lilburn, Georgia 30047 Defendant

Sandra Goulette  
3007 Crescent Hill Drive  
Laurel, MS 39440 Defendant

Mark Moffett  
345 Coon Jeffcoat Road  
Soso, MS 39480 Defendant

Rance Magee  
11294 Rose Road  
Emmett, MI 48022 Defendant

Innovated Holdings, Inc. dba  
Sitcomm Arbitration Association  
C/O Registered Agents, Inc.  
30 N. Gould Street, Suite R  
Sheridan, WY 82801 Defendant

Brett "Eeon" Jones  
304 South Jones Boulevard  
Ste Eeon-1967  
Las Vegas, NV 89107

Defendant

Brett "Eeon" Jones  
Void eeon opt-out 1967  
Las Vegas, NV 89107

Brett "Eeon" Jones  
305 South Jones Boulevard  
Void 1967 eeon opt-out  
Las Vegas, NV 89107

SO CERTIFIED, this the 20<sup>th</sup> day of July, 2021.

/s/ HARRIS F. POWERS III  
HARRIS F. POWERS, III